

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT****DOCKETING STATEMENT****Case Number:** 25-1706**Short Case Caption:** Red Hat, Inc. v. VirtaMove, Corp.**Filing Party/Entity:** VirtaMove, Corp.

Instructions: Complete each section or check the box if a section is intentionally blank or not applicable. Attach additional pages as needed. Refer to the court's Mediation Guidelines for filing requirements. An amended docketing statement is required for each new appeal or cross-appeal consolidated after first filing.

Case Origin	Originating Number	Type of Case
Northern Dist. of California	5:24-cv-04740-PCP	patent/declaratory judgement

Relief sought on appeal: ☒ None/Not ApplicableRelief awarded below (if damages, specify): ☐ None/Not Applicable

Dismissal for lack of subject matter jurisdiction

Briefly describe the judgment/order appealed from:

Appellant Red Hat appeals from judgment granting VirtaMove's motion to dismiss for lack of subject matter jurisdiction.

Nature of judgment (select one):

Date of judgment: 4/21/25☒ Final Judgment, 28 USC § 1295☐ Rule 54(b)☐ Interlocutory Order (specify type) _____☐ Other (explain) _____

Name and docket number of any related cases pending before this court, and the name of the writing judge if an opinion was issued. ☒ None/Not Applicable

Issues to be raised on appeal: ☒ None/Not Applicable

Have there been discussions with other parties relating to settlement of this case?

☒ Yes ☐ No

If “yes,” when were the last such discussions?

- ☐ Before the case was filed below
☐ During the pendency of the case below
☒ Following the judgment/order appealed from

If “yes,” were the settlement discussions mediated? ☐ Yes ☒ No

If they were mediated, by whom?

N/A

Do you believe that this case may be amenable to mediation? ☐ Yes ☒ No

Explain.

The nature of a dismissal for lack of subject matter jurisdiction does not suggest scope for compromise between the parties on the issues in this appeal.

Provide any other information relevant to the inclusion of this case in the court’s mediation program.

N/A

Date: 5/13/25 Signature: /s/ Neil A. Rubin

Name: Neil A. Rubin